REMARKS

Claims 1-24 were pending in this case.

I. Summary of Office Action

Claim 5 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 1-4, 7-14 and 17-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Young U.S. Patent No. 4,977,455 ("Young"). Claims 5-6, 15 and 16 were rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Levine U.S. Patent No. 5,915,068 ("Levine").

II. Summary of Applicants' Reply

Applicants have rewritten claims 5, 15 and 23 in independent form incorporating all of the limitations of their respective base claim 1, 9 or 17. Applicants have accordingly canceled claims 1, 9 and 17 without prejudice. Applicants have also amended claims 2-4, 7, 10, 12-14, 18 and 20-22 to properly depend from independent claims 5, 15 or 23. No new matter has been added and these amendments are fully supported by the originally-filed specification.

Although claims 23 and 24 were listed as rejected in the Office Action summary, the Examiner has not advanced any reasons or provided any basis for rejecting these claims. In fact, the Office Action does not address these claims at all. Applicants understand this to mean that claims 23 and 24 contain allowable subject matter and therefore respectfully request that the Examiner confirm the same.

III. Reply to the Section 112 Rejection

Claim 5 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite because there is no period at the end of the claim. Applicants have amended claim 5 to be written in independent form and have included a period at the end of the claim. Applicants respectfully submit that the claim, as amended, is not indefinite. Accordingly applicants respectfully request that the Section 112 rejection of claim 5 be withdrawn.

IV. Reply to the Section 102 Rejection

Claims 1-4, 7-14 and 17-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Young. Claims 1, 9 and 17 have been canceled and claims 2-4, 7, 8, 10-14 and 18-22 have been amended to depend from claim 5, 15 or 23. Thus, the rejection of claims 1-4, 7-14 and 17-22 is moot. Accordingly, applicants respectfully request that the Section 102 rejection be withdrawn.

V. Reply to the Section 103 Rejection

Claims 5-6, 15 and 16 were rejected under 35 U.S.C. § 103(a) as being obvious from Young in view of Levine. Applicants respectfully traverse this rejection.

Applicants' claimed invention, as defined by claims 5, 15 and 23 which have been amended to be written in independent form, is directed to, inter alia, systems and methods for recording and indexing television programs on video recording media. A plurality of television program listings are stored in memory, where each television program listing includes data indicative of the title, channel and start time for at least one

television program. The plurality of television program listings are displayed on a display monitor and a user selects one of the displayed program listings for recording.

Young generally discusses a VCR schedule controller.

The Examiner acknowledges that Young fails to disclose the feature of displaying a plurality of program listings stored in a memory and selecting one of the displayed program listings for recording and cites Levine as allegedly making up for this deficiency. (Office Action, pages 4-5, ¶ 6.)

Levine generally describes a system for programming the automatic operation of a video recorder that uses an associated television receiver as a display device. The system stores an interactive programming routine for directing the operator through the programming sequence of a video recorder (Levine, col. 1, lines 58-67). Alphanumeric statements (e.g., program schedule information) may be displayed on a monitor. The displayed statements request the operator to provide the system with information relative to his programming choices. (Levine, Abstract, col. 5, lines 35-45 and col. 6, lines 15-25.)

Although applicants' claimed invention implicates the teachings of Levine, applicants' claims patentably improve upon the Levine system by providing the ability to record a program by simply selecting the listing that corresponds to the program, from several listings that are displayed on a monitor. Although the Levine system displays a program schedule on the monitor, it nevertheless requires the user to manually step through a programming sequence in order to schedule a program for recording. Applicants' claimed invention, on the other hand, patentably improves upon Levine by allowing the user to select

one of the displayed program listings in order to effect recording of the program corresponding to the selected listing. This improvement reduces the steps the user has to take to schedule a program for recording by entering information about the program. Namely, instead of requiring the user to step through a programming sequence and enter information about a desired program to schedule a recording, the user simply may select one of the displayed listings which will cause the program to be recorded.

For at least the reasons above, Young does not make up for the deficiencies of Levine relative to the rejection. Therefore, Young and Levine, whether taken alone or in combination, do not show or suggest all the limitations of applicants' claims 5, 15 and 23. Accordingly, applicants respectfully submit that claims 5, 15 and 23, and claims 2-4, 6-14, 16-22 and 24 which depend, directly or indirectly, from claim 5, 15 or 23, are patentable.

VI. Conclusion

For the reasons stated above, applicants respectfully submit that this application is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,

/Gall C. Gotfried/
Gall C. Gotfried
Registration No. 58,333
Agent for Applicants
ROPES & GRAY LLP
Customer No. 1473
1211 Avenue of the Americas
New York, New York 10036-8704
(212) 596-9000